### **BOEHM, KURTZ & LOWRY**

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PUBLIC SERVICE COMMISSION

Via Overnight Mail

September 12, 2005

Beth A. O'Donnell, Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40602

Re: Case No. 2005-00341

Dear Ms. O'Donnell:

Please find enclosed the original and twelve (12) copies of the Petition to Intervene of Kentucky Industrial Utility Customers, Inc. in the above-referenced matter. By copy of this letter, all parties listed on the Certificate of Service have been served.

Please place this document of file.

Very Truly Yours,

David F. Boehm, Esq. Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY** 

MLKkew Attachment

cc:

Certificate of Service

#### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by first-class postage prepaid mail, unless otherwise noted, to all parties on the 12<sup>th</sup> day of September, 2005.

Honorable Kevin F. Duffy Attorney at Law American Electric Power Service Corporation 1 Riverside Plaza, 29th Floor Post Office Box 16631 Columbus, OH 43216 kfduffy@aep.com

Honorable Mark R. Overstreet Attorney at Law Stites & Harbison 421 West Main Street P. O. Box 634 Frankfort, KY 40602-0634 moverstreet@stites.com

David F. Boehm, Esq.

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#### COMMONWEALTH OF KENTUCKY

SFP 1 5 2005

## BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE COMMISSION

In The Matter Of: Kentucky Power Company Notice of Intent to File for an Adjustment of Electric Rates

: Case No. 2005-00341

# PETITION TO INTERVENE OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Kentucky Industrial Utility Customers, Inc. ("KIUC") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The members of KIUC who will participate herein are: AK Steel Corporation, Air Products & Chemicals, Inc., Marathon Ashland Petroleum LLC and Huntington Alloys. KIUC will supplement the names of additional intervenors when necessary.

2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by KIUC for electricity. Electricity represents a significant cost of doing business for KIUC. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all

documents are:

David F. Boehm, Esq. Michael L. Kurtz, Esq. BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255, Fax: (513) 421-2764

E-Mail: KIUC@BKLlawfirm.com

3. The position of KIUC cannot be adequately represented by any existing party. KIUC intends to play a constructive role in the Commission's decision-making process herein and KIUC's participation will not unduly prejudice any party.

**WHEREFORE,** KIUC requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,

David F. Boehm, Esq.

Michael L. Kurtz, Esq.

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COUNSEL FOR KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

September 12, 2005